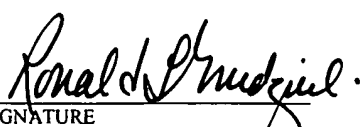


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|---|--|---|
| FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE   |  | ATTORNEY DOCKET NUMBER<br>47233-5008  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |  | U.S. APPLICATION NO. <b>10/591316</b><br><small>known, see 37 CFR 1.5</small> |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP2005/003465  | INTERNATIONAL FILING DATE<br>March 2, 2005 | PRIORITY CLAIMED<br>JP 2004-060736 filed March 4, 2004                        |
| TITLE OF INVENTION<br>A PROCESS FOR PRODUCING ASTAXANTHIN-CONTAINING LIPIDS   |  |   |
| APPLICANT(S) FOR DO/EO/US<br>Kenichi HIGASHIYAMA and Toshihide KAKIZONO   |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has not expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input type="checkbox"/> An oath or a declaration of the inventor(s) (35 U.S.C. 371 (c)(4))</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |  |   |
| <b>Items 11 to 20 below concern document(s) or information included</b>   |  |   |
| <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:             <ol style="list-style-type: none"> <li>(a) PCT/IB/304</li> <li>(b) PCT/IB/308</li> <li>(c) PCT/ISA/210 dated May 17, 2005</li> <li>(d) Front page of International Publication No. WO 2005/085465</li> <li>(e) PCT Request</li> </ol> </li> </ol>  |  |   |

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| U.S. APPLICATION NO. <b>10/591316</b><br>NEW  |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/JP2005/003485</b>                     |            | ATTORNEY DOCKET NUMBER<br><b>47233-5008</b> |              |
|   |              |   |            | Calculations                                | PTO use only |
| The following fees are submitted:   |              |   |            |   |              |
| 21. <input checked="" type="checkbox"/> Basic national Fee .....  |              |   |            | \$300.00                                    |              |
| 22. <input checked="" type="checkbox"/> Examination Fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....<br>All other situations .....   |              |   |            | \$100.00<br>\$200.00                        |              |
| 23. <input checked="" type="checkbox"/> Search Fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....<br>International Search Report prepared and provided to the Office .....<br>All other situations .....  |              |   |            | \$100.00<br>\$400.00<br>\$500.00            |              |
| <b>TOTAL OF 21, 22 and 23 =</b>   |              |   |            | <b>\$900.00</b>                             |              |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |   |            |   |              |
| Total Sheets  | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE       |   |              |
| 28 - 100 =  | 0/50 =       | 0   | × \$250.00 | \$0.00                                      |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).  |              |   |            | \$0.00                                      |              |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE       |   |              |
| Total claims  | 8- 20 =      | 0   | X \$50.00  | \$0.00                                      |              |
| Independent claims  | 1 - 3 =      | 0   | X \$200.00 | \$0.00                                      |              |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360.00 | \$0.00                                      |              |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |            | <b>\$900.00</b>                             |              |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.  |              |   |            |   |              |
| <b>SUBTOTAL =</b>   |              |   |            | <b>\$900.00</b>                             |              |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |              |   |            | +   | \$0.00       |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |            | <b>\$900.00</b>                             |              |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |            | +   | \$0.00       |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |            | <b>\$900.00</b>                             |              |
|   |              |   |            | Amount to be refunded:                      | \$           |
|   |              |   |            | Amount to be charged:                       | \$           |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$900.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0573</u> in the amount of \$ _____ to cover the above fees.<br/>A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0573</u>.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:<br/>CUSTOMER NO.: 055694</p> <p>DRINKER BIDDLE &amp; REATH LLP<br/>1500 K Street, N.W., Suite 1100<br/>Washington, D.C. 20005-1209<br/>Tel: (202) 842-8800<br/>Fax: (202)-204-0289</p> <div style="text-align: right;"> <br/>       SIGNATURE<br/>       NAME: <u>Ronald L. Grudziecki</u><br/>       REGISTRATION NUMBER: <u>24,970</u><br/>       DATE: <u>August 31, 2006</u> </div> |              |   |            |   |              |

VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below;

That I am knowledgeable in the English language and in the language in which the below identified application was filed, and that I believe the English translation of International Application No. PCT/JP2005/003465 is a true and complete translation of the above-identified International Application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 29th day of August 2006.

Full name of the translator: Hisako NOZAKI

Signature of the translator:

Hisako Nozaki

Post Office Address: c/o YUASA AND HARA, Section 206,  
New Ohtemachi Bldg., 2-1,  
Ohtemachi 2-chome, Chiyoda-ku,  
Tokyo, JAPAN

Filing Receipt

March 2, 2005  
Commissioner of the Patent Office

To: Discrimination No. 100089705  
Attorney (Name) Mr. Ichio SHAMOTO  
Submitted date March 2, 2005

Received the following document

| No. | Document              | Arrangement No. | Receipt No. | Filing Receipt<br>(indication of case) |
|-----|-----------------------|-----------------|-------------|--|
| 1   | Patent<br>Application | YCT-1018        | 50500367193 | PCT/JP2005/003465                      |